



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,518	06/27/2000	John L. Manfredelli	MSFT-0187/154573.1	4937

7590 02/04/2004

Peter M Ullman
Woodcock Washburn Kurtz Mackiewicz & Norris LLP
One Liberty Place
46th Floor
Philadelphia, PA 19103

EXAMINER

VAUGHAN, MICHAEL R

ART UNIT	PAPER NUMBER
----------	--------------

2131

DATE MAILED: 02/04/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/604,518

Applicant(s)

MANFERDELLI ET AL.

Examiner

Michael R Vaughan

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6,7,8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-41 have been examined and are pending.

Information Disclosure Statement

2. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 6, 7, and 8, is attached to the instant Office action.

Claim Rejections - 35 USC ' 112, second paragraph

3. Claim 29 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 29 recites the limitation "said first action" in line 1. There is insufficient antecedent basis for this limitation in the claim. Clarification and/or correction are required.

Claim Rejections - 35 USC ' 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Spies et al (USP 5,689,565).

As per claim 1, Spies et al teach:

providing an interface, said interface being callable by said software process (column 3, line 17);

if said one of said plurality of secure repositories is said first of said plurality of secure repositories, providing a first set of computer-executable instructions which are invocable by said callable interface (column 17, line 14); and

if said one of said plurality of secure repositories is said second of said plurality of secure repositories, providing a second set of computer-executable instructions which are invocable by said callable interface, said second set of computer executable instructions being different from said first set of computer-executable instructions (figure 11, element 174).

As per claim 2, Spies et al teach secure repository converts encrypted data to decrypted data using a cryptographic algorithm to apply a cryptographic key to said encrypted data, and wherein said software process performs an operation on said decrypted data (column 3, lines 25-30).

As per claim 3, Spies et al teach operation comprises rendering said decrypted data (column 3, line 27).

As per claim 4, Spies et al teach said first or said second sets of computer-executable instructions is provided in the form of an executable file dynamically linkable with said software process (column 3, line 30).

As per claim 5, Spies et al teach said interface comprises a first function callable by said software process, said first function being parameterized by first data representative of a type of secure repository (column 3, lines 10-20).

As per claim 6, Spies et al teach said interface is callable by said software process without regard to whether said one of said plurality of secure repositories is said first of said plurality of secure repositories or said second of said plurality of secure repositories (column 17, lines 1-8).

As per claim 7, Spies et al teach said interface comprises a second function callable by said software process, said second function requesting that said secure repository perform at least one action (column 17, lines 39-43).

As per claim 8, Spies et al teach first of said plurality of secure repositories executes on a closed-platform device, and wherein said second of said plurality of secure repositories executes on an open-platform device (column 18, lines 10-15).

As per claim 9, Spies et al teach a software process issuing a first interface call which authenticates said software process to said one of said plurality of secure repositories (column 17, lines 13-14); and

said software process issuing a second interface call which requests performance of an action by said secure repository for said software process (column 17, lines 40-45);

wherein said software process issues said first and second interface calls without regard to whether said one of said plurality of secure repositories is a first of said plurality of secure repositories or a second of said plurality of secure repositories (column 17, lines 1-8).

As per claim 10, Spies et al teach secure repository converts encrypted data to decrypted data using a cryptographic algorithm to apply a cryptographic key to said

encrypted data, and wherein said software process performs an operation on said decrypted data (column 3, lines 25-30).

As per claim 11, Spies et al teach operation comprises rendering said decrypted data (column 3, line 27).

As per claim 12, Spies et al teach first secure repository comprises a software-based secure repository, and wherein said second secure repository comprises at least some isolated hardware (column 17, line 35, column 18, lines 12-13, and column 19, line 9).

As per claim 13, Spies et al teach each of said first and second secure repositories are software-based repositories, said first secure repository having at least one feature not present in said second secure repository (column 17, line 33 and column 18, lines 10-20).

As per claim 14, Spies et al teach one of said plurality of secure repositories is said first of said plurality of secure repositories, and wherein said software process issues said first and second interface calls without regard to whether said second repository exists (column 17, lines 1-8).

As per claim 15, Spies et al teach first interface call is parameterized by first data representing a first type of secure repository, and wherein said first and said second of said plurality of secure repositories are each of said first type (column 17, lines 18-19, line 45).

As per claim 16, Spies et al teach software process performs a second action if said one of said plurality of repositories is either said first or said second of said plurality of secure repositories (column 17, line 14), and wherein said software process does not perform said second action if said one of said plurality of secure repositories is a third of said plurality of secure repositories, said third of said plurality of secure repositories being of a second type different from said first type (column 19, lines 45-65).

As per claim 17, Spies et al teach dynamically, linking to said software process a first set of computer-executable instructions, if said one of said plurality of repositories is said first of said plurality of secure repositories (column 18, lines 64-67); and

dynamically linking to said, software process a second set of computer-executable instructions different from said first set of computer-executable instructions, if said one of said plurality of secure repositories is said second of said plurality of secure repositories (column 19, lines 1-4).

As per claim 18, Spies et al teach the act of said software process receiving second data in response to said second interface call, said second data being

generated by said one of said plurality of secure repositories, wherein said second data does not expose to said software process whether said data was generated by said first secure repository or said second secure repository (column 19, lines 30-44).

As per claim 19, Spies et al teach a computer-readable medium encoded with computer-executable instructions to perform the method of claim 9 (column 17, lines 33).

As per claim 20, Spies et al teach a first set of computer-executable instructions which converts encrypted data into decrypted data by applying a cryptographic key to said encrypted data (column 3, lines 25-30); and

a second set of computer-executable instructions which provides said decrypted data to a software process if said -secure repository trusts said software process (column 3, lines 25-30);

wherein said secure repository establishes trust of said software process at least in part by establishing trust with an intermediate object, said intermediate object comprising a third set of computer-executable instructions dynamically linked to said software process (column 19, lines 45-67).

As per claim 21, Spies et al teach software process renders said decrypted data (column 3, line 27).

As per claim 22, Spies et al teach receiving from said intermediate object first data comprising:

second data based at least in part on at least some code contained in said intermediate object (column 17, lines 20-25); and

a signature of said second data; and validating said signature (column 17, lines 25-28).

As per claim 23, Spies et al teach second data comprises a hash of said at least some code (column 18, lines 46-48).

As per claim 24, Spies et al teach fourth set of computer-executable instructions further performs acts comprising:

receiving from said intermediate object second data based at least in part on code contained in said software process (column 17, lines 26-28).

As per claim 25, Spies et al teach issuing a first interface call without regard to whether said one of said plurality of secure repositories is a first of said plurality of secure repositories or a second of said plurality of secure repositories (column 3, line 17);

if said one of said plurality of secure repositories is said first of 8 said plurality of secure repositories, dynamically linking with a first set of computer-executable instructions invocable by said first interface call (column 17, line 14); and

if said one of said plurality of secure repositories is said second of said plurality of secure repositories, dynamically linking with a second set of computer-executable instructions -invocable by said first interface call, said second said of computer-executable instructions being different from said first set of computer-executable instructions (figure 11, element 174).

As per claim 26, Spies et al teach each of said plurality of secure repositories converts encrypted data to decrypted data using a cryptographic algorithm to apply a cryptographic key to said encrypted data (column 3, lines 25-30).

As per claim 27, Spies et al teach first secure repository comprises a software-based secure repository, and wherein said second secure repository comprises at least some isolated hardware (column 17, line 35, column 18, lines 12-13, and column 19, line 9).

As per claim 28, Spies et al teach each of said first and second secure repositories are software-based repositories, said first secure repository having at least

one feature not present in said second secure repository (column 17, line 33 and column 18, lines 10-20).

As per claim 29, Spies et al teach said act of performing said first action comprises executing a first set of computer--executable instructions, and wherein said first action comprises the act: of providing to said first secure repository first data based at least in part on at least some of said first set of computer-executable instructions (column 20, lines 45-46).

As per claim 30, Spies et al teach a computer-readable medium encoded with a second set of computer-executable instructions to perform the method of claim 25 (column 17, line 33).

As per claim 31, Spies et al teach establishing to said second software process the authenticity of an intermediary object and using said intermediary object to establish to said second software process the authenticity of said first software process (column 17, lines 13-32).

As per claim 32, Spies et al teach said second software process converts encrypted data to decrypted data by using a cryptographic algorithm to apply a cryptographic key to said encrypted data, and wherein said first software process performs an operation on said decrypted data (column 3, lines 25-30).

As per claim 33, Spies et al teach said operation comprises rendering said decrypted data (column 3, line 27).

As per claim 34, Spies et al teach first software process is a text rendering application, and wherein said decrypted data comprises text (column 17, line 4, column 20, line 46, and column 21, lines 57-60).

As per claim 35, Spies et al teach said intermediary object comprises a set of computer-executable instructions having a first function callable from said first software process, and wherein the act of establishing to said second software process the authenticity of said intermediary object includes, or is actuated by, the act of said first software process calling said first function (column 19, lines 30-61).

As per claim 36, Spies et al teach said act of establishing to said second software process the authenticity of said intermediary object includes the act of providing said second software process with a certificate based at least in part on said set of computer-executable instructions (column 17, lines 13-32).

As per claim 37, Spies et al teach certificate comprises a signed hash of at least some of said computer-executable instructions (column 18, lines 46-49).

As per claim 38, Spies et al teach said intermediary object is in the address space of said first software process, and wherein said first function is referenceable by an address within said address space (column 17, lines 22-23 and figure 10, element 179).

As per claim 39, Spies et al teach said set of computer-executable instructions is dynamically linkable with said first software process, and wherein said method further comprises the act of linking said set of computer-executable instructions with said first software process (column 18, lines 64-67).

As per claim 40, Spies et al teach said intermediary object comprises a set of computer-executable instructions having a first function callable from said first software process, and wherein said act of using said intermediary object to establish to said second software process the authenticity of said first software process includes, or is actuated by, the act of said first software process issuing a call to said first function (column 19, lines 30-61).

As per claim 41, Spies et al teach computer-readable medium encoded with a second set of computer-executable instructions to perform the method of claim 31 (column 17, line 33).

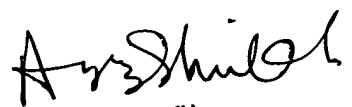
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R Vaughan whose telephone number is 703-305-0354. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MV
Michael R Vaughan
Examiner
Art Unit 2131


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100